

(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

**ENCLOSED ARE GENERAL, ZONING AND
ZONING MAP ARTICLES VOTED AT THE
ANNUAL TOWN MEETING OF MAY 4, 2009
THAT RECEIVED THE APPROVAL OF THE
ATTORNEY GENERAL**

A true record, attest:

Mary Pat Kaszanek
Mary Pat Kaszanek
Town Clerk



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

WESTERN MASSACHUSETTS DIVISION
1350 MAIN STREET
SPRINGFIELD, MASSACHUSETTS 01103-1629

(413) 784-1240
www.mass.gov/ago

November 19, 2009

Mary Pat Kaszanek, Town Clerk
242 Union Street
Rockland, MA 02370

RE: Rockland Annual Town Meeting of May 4, 2009 — Case # 5315
Warrant Article # 45 (General)
Warrant Articles # 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 29 (Zoning)

Dear Ms. Kaszanek:

Articles 12, 17 through 25, 29, and 45 - We return with the approval of this Office the amendments to the Town by-laws adopted under these Articles on the warrant for the Rockland Annual Town Meeting that convened on May 4, 2009, and the map pertaining to Articles 12 and 29. Our comments on the zoning articles are provided in more detail below.

I. Procedural Review

In approving the changes to the zoning by-laws adopted under the above Articles, we call the Town's attention to the provisions of G.L. c. 40A, § 5. General Laws Chapter 40A, Section 5, provides in pertinent part as follows:

Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing (emphasis added).

The planning board hearing notice for these Articles did not include a statement where the text and map (if any) of the proposed by-law amendment is available for inspection. However, since the notice contained the exact language of the proposals that were submitted to the planning board we are able to waive the omission. We point out that the spirit of G.L. c. 40A, § 5, requires the notice that is posted and published to make it clear what is being



discussed at the planning board hearing conducted pursuant to G.L. c. 40A, § 5. We remind the Town that in the future the posted and published planning board hearing notice should include where the text and map (if applicable) may be inspected. Also, the Attorney General has fashioned a form for use by the planning board that has, as part of its standard text, the statement required by G.L. c. 40A, § 5. A copy of that form is enclosed. We recommend that you give it to the planning board for its future use.

II. Substantive Review

Article 17 - The amendments adopted under Article 17 amend Section V by adding a new Subsection "O. Wind Energy Facilities," to the Town's zoning by-laws. The proposed by-law allows Wind Energy Facilities by special permit. Specifically, Subsection 8.2 of the proposed by-law authorizes the Board of Appeals to require a performance bond for the removal of facilities not in use as a condition of the special permit.

We approve Subsection 8.2, but caution the Town that the financial surety does not become Town funds unless and until the applicant defaults on the obligation under the proposed by-law or the special permit. If the Town must use the surety to pay for the removal of a facility, an appropriation is required before expenditure is made to do the work required under a special permit.

In the event funds are received from, for example, a performance bond company, the Town must comply with the requirements of G.L. c. 44, § 53. General Laws Chapter 44, Section 53, provides that "[a]ll moneys received by a city, town or district officer or department, except as otherwise provided by special acts and except fees provided for by statute, shall be paid by such officers or department upon their receipt into the city, town or district treasury." Under G.L. c. 44, § 53, all moneys received by the Town become a part of the general fund, unless the Legislature has expressly made other provisions that are applicable to such receipt. In the absence of any general or special law to the contrary, performance security funds of the sort contemplated here must be deposited with the Town Treasurer and made part of the Town's general fund, pursuant to G.L. c. 44, § 53. The Town cannot then use the money to do any work required under the proposed by-law or the special permit.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

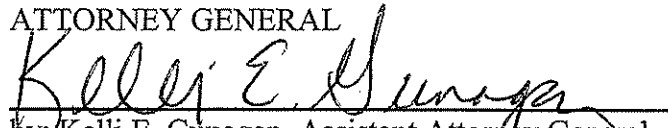
If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted

and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL

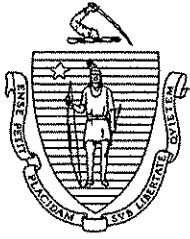
A handwritten signature in dark ink, appearing to read "Kelli E. Gunagan", is written over a horizontal line.

by: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 7717

enc.

cc: Town Counsel

Form 7-PBN



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

MUNICIPAL LAW UNIT
1350 MAIN STREET, 4TH FLOOR
SPRINGFIELD, MASSACHUSETTS 01103-1629

Notice of Planning Board Hearing

Relative to Proposed Zoning By-Law Amendments Pursuant to M.G.L. c. 40A, § 5

The Planning Board of the Town of _____ will hold a public hearing to discuss proposed amendments to the town's zoning by-laws. The public hearing will be held as follows:

Place: _____

Date: _____

Time: _____

The subject matter of the proposed amendments is/are as indicated below (*attach additional sheets if necessary*). The complete text and maps relative to the proposed amendments are available for inspection during regular business hours at the following place(s):*

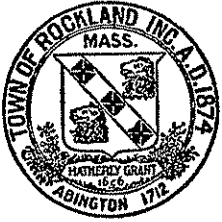
Place: _____

Place: _____

Place: _____

Article Number	Subject Matter of Proposed Amendments Sufficient for Identification
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

* **Note:** The above information is *strictly required* by M.G.L. c. 40A, § 5.



(781) 871-1892

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The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 45

The Town voted to amend this by-law by striking out **criminal indictment or complaint pursuant to G.L. c.40 21. or by** and voted to adopt article 45 as amended.

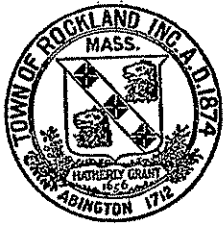
PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by ~~criminal indictment or complaint pursuant to G.L. c.40 § 21. or~~ by noncriminal disposition pursuant to G.L. c. 40, § 21D, by their duly authorized agents, or any police officer. The fine for violation of this by-law shall be three hundred dollars (\$300.00) for each offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.

A true record, attest.

Mary Pat Kaszanek
Mary Pat Kaszanek
Town Clerk



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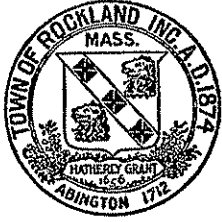
ARTICLE 12

The Town unanimously voted to amend the current zoning district of the Town of Rockland by removing references to the R-2 zone as shown on the current Town Zoning Map for the parcel shown as Lot 73 on the Town Assessor's Map 51 and replacing the same with the reference of B-2.

Purpose: The purpose of said zoning change is to extend the B-2 zoning to include the above referenced Map and Lot (aka 7 Market Street). Property is currently split zoned R-2 & B-2.

A true record, attest:

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The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 17

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town voted not to amend as amended (171 in favor, 107 opposed 2/3 being 184) Section V of the Rockland Zoning By-Laws.

After Article 19 a motion was made, and seconded, and the Town voted 177 for to 47 opposed, 2/3 being 148 to reconsider Article 17.

The Town unanimously voted to amend as amended Section V of the Rockland Zoning By-Laws to add the following:

O. Wind Energy Facilities

1.0 Purpose

The purpose of this section is to provide by Special Permit for the construction and operation of wind energy facilities and to provide standards for the placement, design, construction, monitoring, modification and removal of wind energy facilities that address public safety, minimize impacts on scenic, natural and historic resources of the town and provide adequate financial assurance for removal of unused facilities.

1.1 Applicability

This section applies to all wind energy facilities proposed to be constructed after the effective date of this section. Any physical modification to existing wind energy facilities that materially alters the type or increases the size of such facilities or other equipment shall require a special permit.

2.0 Definitions

Height: The height of a wind turbine measured from natural grade to the tip of the rotor blade at its highest point, or blade-tip height.

Large Wind Energy Facility: A wind energy facility with a rated nameplate capacity of 60Kw or greater.

Rated Nameplate Capacity: The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a “nameplate” on the equipment.

Small Wind Energy Facility: A wind energy facility with a rated nameplate capacity of less than 60Kw.

Special Permit Granting Authority: The Special Permit granting authority shall be the Zoning Board of Appeals.

Substantial Evidence: Such evidence as a reasonable mind might accept as adequate to support a conclusion.

Wind Energy Facility: All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

Wind Monitoring or Meteorological (“MET”) Tower: A temporary tower equipped with devices to measure wind speeds and direction, used to determine how much wind power a site can be expected to generate.

Wind turbine: A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two or more blades.

3.0 General Requirements

3.1 Special Permits for Wind Energy Facilities

- (a) No wind energy facility shall be erected, constructed, installed or modified as provided in this section without first obtaining a Special Permit from the Zoning Board of Appeals. The construction of a Large Wind Energy Facility shall be permitted in the R-1, I-2, I-3, and I-4 zoning districts subject to the issuance of a Special Permit and provided that the use complies with all requirements set forth in sections 3, 4, 5 and 6. The construction of a Small Wind Energy Facility shall be permitted in any zoning district subject to the issuance of a Special Permit and provided that the use complies with all requirements set forth in sections 3, 4, 5 and 6.
- b. All wind energy facilities shall be constructed and operated in a manner that minimizes any adverse visual, safety, and environmental impacts. No Special Permit shall be granted unless the Zoning Board of Appeals finds in writing that:
 - (i) The specific site is an appropriate location for such use;
 - (ii) The use is not expected to adversely affect the neighborhood;
 - (iii) There is not expected to be any serious hazard to pedestrians or vehicles from the use;
 - (iv) No nuisance is expected to be created by the use; and,
 - (v) Adequate and appropriate facilities will be provided for the proper operation of the use.

Such Special Permits may also impose reasonable conditions, safeguards and limitations on time and use and may require the applicant to implement all reasonable measures to mitigate unforeseen adverse impacts of the wind facility, should they occur.

- c. Wind monitoring or meteorological towers shall be permitted for no more than eighteen (18) months in any zoning district, subject to the issuance of a building permit. MET towers shall be set back a distance equal to two (2) times the height of the tower from the nearest property line. MET towers shall be fenced in order to prevent unauthorized access. The Zoning Board of Appeals may reduce the setback requirement by Special Permit, based on site-specific considerations.

3.2 Compliance with Laws, By-laws, and Regulations

The construction and operation of all such proposed wind energy facilities shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications and aviation requirements.

3.3 Proof of Liability Insurance

The applicant shall be required to provide evidence of liability insurance in an amount and for a duration sufficient to cover loss or damage to persons and structures occasioned by the failure of the facility.

3.4 Site Control

At the time of its application for a Special Permit, the applicant shall submit documentation of actual or prospective control of the project site sufficient to allow for installation and use of the proposed facility. Documentation shall also include proof of control over setback areas and access roads. Control shall include the legal authority to prevent the use or construction of any structure for human habitation within the setback areas.

4.0 General Siting Standards

4.1 Height

Wind energy facilities shall be no higher than three hundred fifty (350) feet above the preconstruction grade of the land, provided that wind energy facilities may exceed three hundred fifty (350) feet in height if all of the following criteria are met:

- (a) The applicant demonstrates by substantial evidence that such height reflects industry standards for a similarly sited wind energy facility;
- (b) Such excess height is necessary to ensure technical and economic feasibility of the wind energy facility; and,
- (c) The facility satisfies all other criteria for the granting of a Special Permit under the provisions of this section.

4.2 Setbacks

Large Wind Energy Facilities shall be set back a distance equal to two (2) times the overall blade tip height of the wind turbine from the nearest property line. Small Wind Energy Facilities shall be set back a distance equal to the overall blade tip height of the wind turbine from the nearest property line. The Zoning Board of Appeals may reduce the minimum setback distance as appropriate based on site-specific considerations, if the project satisfies all other criteria for the granting of a Special Permit under the provisions of this section.

4.3 Parking

There shall be a minimum of one parking space per tower, to be used in connection with the maintenance of the facility and the site, and not to be used for the permanent storage of vehicles. The parking space shall measure nine (9) by twenty (20) feet.

5.0 Design Standards

5.1 Color and Finish

The Zoning Board of Appeals shall have discretion over the turbine color. A neutral, non-reflective exterior color designed to blend with the surrounding environment is encouraged.

5.2 Lighting

Wind turbines shall be lighted only if required by the Federal Aviation Administration. Lighting of other parts of the wind energy facility, such as accessory structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties.

5.3 Signage

Signs on the wind energy facility shall comply with the requirements of the town's sign regulations, and shall be limited to:

- (a) Signs necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger. Such signs shall be installed on the fence that surrounds the base of the wind energy facility.
- (b) Educational signs providing information about the facility and the benefits of renewable energy.

There shall be no signage on the wind turbine. Wind turbines shall not be used for displaying of any advertising.

5.4 Utility Connections

To the extent technically feasible, and subject to any requirements of the utility provider, all utility connections from the wind energy facility shall be located underground.. Electrical transformers for utility interconnections may be above ground if required by the utility provider and shall meet all local and state codes.

5.5 Accessory Structures

All accessory structures to such wind energy facilities, including but not limited to equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other and shall be contained within the turbine tower whenever technically and economically feasible. Structures shall only be used for housing of equipment for this particular site. Whenever reasonable, structures should be shaded from view by vegetation and/or located in an underground vault and joined or clustered to avoid adverse visual impacts.

5.6 Support Towers

Wind energy facilities shall use a monopole tower for support.

6.0 Safety, Aesthetic and Environmental Standards

6.1 Emergency Response

The applicant shall provide a copy of the project summary and site plan to the Rockland Police and Fire Departments. Upon request the applicant shall cooperate with local emergency services in developing an emergency response plan. The applicant or facility owner shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.

6.2 Unauthorized Access

Wind turbines and other structures that are part of a wind energy facility shall be designed as to prevent unauthorized access.

6.3 Shadow/Flicker

Wind energy facilities shall be sited in a manner that minimizes shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses through either siting or mitigation.

6.4 Noise

The wind energy facility and associated equipment shall conform to the provisions of the Department of Environmental Protection's Division of Air Quality Noise Regulations (310 CMR 7.10). A source of sound will be considered to be violating these regulations if the source:

- (a) Increases the broadband sound level by more than 10 Db(A) above ambient, or
- (b) Produces a "pure tone" condition – when an octave band center frequency sound pressure level exceeds the two (2) adjacent center frequency sound pressure levels by three (3) decibels or more.

These criteria are to be measured at all property lines. Ambient is defined as the background A-weighted sound level that is exceeded ninety (90) percent of the time measured during equipment operation. An analysis prepared by a qualified engineer shall be presented to demonstrate compliance with these noise standards.

6.5 Land Clearing

Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind energy facility.

7.0 Monitoring and Maintenance

The applicant shall maintain the wind energy facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Rockland Fire and Police Departments. The project owner shall be responsible for the cost of maintaining the wind energy facility and any access road, unless accepted as a public way, and the cost of repairing any damage occurring as a result of operation and construction. The Zoning Enforcement Officer may require annual certification by a Professional Registered Engineer of the facility's structural integrity and maintenance record.

8.0 Removal of Wind Energy Facilities

8.1 Removal Requirements

The owner of a wind energy facility shall inform the Zoning Enforcement Officer annually, in writing, whether the facility remains in use. Any wind energy facility which has not been used for one (1) year or more shall be dismantled and removed in its entirety (including accessory facilities and structures) at the owner's expense. Removal shall consist of:

- (a) Physical removal of all wind turbines, structures, equipment, security barriers and transmission lines from the site;
- (b) Disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations; and,
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Zoning Enforcement Officer may allow the owner to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

8.2 Financial Security

The owner of a wind energy facility shall file and maintain in effect a bond (or other security satisfactory to the Town), ensuring that sufficient funds will be available to remove the facility in the event of non-use, as provided herein. Said bond shall be from a company authorized to do business in Massachusetts and shall be subject to the approval of the Town. The bond shall be a condition of the Special Permit and shall be filed prior to the issuance of the building permit. Such security will not be required for municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for Cost of Living Adjustment.

9.0 Term of Special Permit

A Special Permit issued for a wind energy facility shall be valid for twenty five (25) years, unless extended or renewed. The time period may be extended or the permit renewed by the Zoning Board of Appeals upon satisfactory operation of the facility. Request for renewal must be submitted at least one hundred eighty (180) days prior to expiration of the Special Permit. Submitting a renewal request shall allow for continued operation of the facility until the Zoning Board of Appeals acts. At the end of that period (including extensions and renewals), the wind energy facility shall be removed as required by this section.

10.0 Application Process & Requirements

10.1 General

The applicant shall provide the Zoning Board of Appeals with fifteen (15) copies of the application. All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts. Included in the application shall be:

- (a) Name, address, phone number and signature of the applicant, as well as all co-applicants or property owners, if any;

- (b) The name, contact information and signature of any agents representing the applicant;
- (c) Documentation of the legal right to use the wind facility site, including the requirements set forth in 3.4 of this section.
- (d) Twelve (12) consecutive months of data from the MET tower that is located at the proposed site.

10.2 Siting and Design

The applicant shall provide the Zoning Board of Appeals with a description of the property which shall include:

- (a) A copy of a portion of the most recent USGS Quadrangle Map, at a scale of 1:25,000, showing the proposed facility site, including turbine sites, and the area within at least two (2) miles from the facility. Zoning district designation for the subject parcel shall be included;
- (b) A locus plan of the proposed wind energy facility site at a scale of one (1) inch equals two hundred (200) feet, which shall show contour intervals of no more than ten (10) feet, property lines for the site parcel and adjacent parcels within three hundred (300) feet, and the exact location of the proposed facility;
- (c) A site plan of the proposed wind energy facility site at a scale of one (1) inch equals forty (40) feet, which shall show the following:
 - (i) Property lines for the site parcel and adjacent parcels within three hundred (300) feet;
 - (ii) Location and current usage of all existing buildings on the site parcel and all adjacent parcels within five hundred (500) feet, including distances from the wind energy facility to each building shown;
 - (iii) Location of all public and private roads on the site parcel and adjacent parcels within three hundred (300) feet, and proposed roads or driveways, either temporary or permanent;
 - (iv) Existing areas of tree cover, including average height of trees, on the site parcel and adjacent parcels within three hundred (300) feet;
 - (v) Proposed location and design of the wind energy facility, including all turbines, ground equipment, accessory structures, transmission infrastructure, access, fencing, and exterior lighting.

10.3 Technical Documentation

The applicant shall submit to the Zoning Board of Appeals the following technical documentation regarding the proposed wind energy facility:

- (a) Wind energy facility technical specifications, including manufacturer and model, rotor diameter, tower height/type, foundation type/dimensions;
- (b) Blueprints or drawings for the tower and the tower foundation, signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts;
- (c) Electrical schematic.

10.4 Visualizations

The applicant shall arrange for a balloon or crane test at the proposed site to illustrate the overall height of the proposed facility within thirty (30) days of filing the application with the Town Clerk.

The date, time, and location of such test shall be advertised and notice provided to abutters in accordance with Chapter 40A, Section 11.

The Zoning Board of Appeals shall select between three (3) and six (6) sight lines with a view of the wind facility, including from the nearest building, for pre- and post-construction view representations. Sites for the view representations shall be selected from populated areas or public ways within a two (2) mile radius of the wind facility. View representations shall have the following characteristics:

- (a) View representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the wind energy facility (e.g. superimpositions of the wind energy facility onto photographs of existing views);
- (b) All view representations will include existing and proposed buildings or tree coverage;
- (c) View representations shall include a description of the technical procedures followed in producing the visualization (distances, angles, lens, etc.).

10.5 Landscape Plan

A plan shall be submitted indicating all proposed changes to the landscape of the site, including temporary or permanent roads or driveways, grading, vegetation clearing and planting, exterior lighting other than FAA lights, screening vegetation or structures. Lighting shall be designed to minimize glare on abutting properties and, except as required by the FAA, be directed downward with full cut-off fixtures to reduce light pollution.

10.6 Operation & Maintenance Plan

The applicant shall submit a plan for maintenance of access roads and storm water controls, as well as general procedures for operational maintenance of the wind facility.

10.7 Compliance Documents

The applicant shall provide with the application:

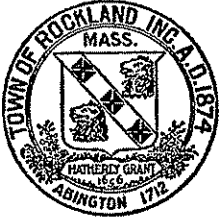
- (a) A description of financial surety that satisfies 8.2 of this section;
- (b) Proof of liability insurance that satisfies 3.3 of this section;
- (c) Certification of height approval from the FAA;
- (d) A statement that satisfies 6.3 of this section, listing existing and maximum projected noise levels from the wind energy facility.

10.8 Independent Consultants

Upon submission of an application for a Special Permit, the Zoning Board of Appeals will be authorized to hire outside consultants, pursuant to section 53G of chapter 44 of the Massachusetts General Laws. The applicant is required to make an initial deposit of \$5,000.00 for peer review and shall pay all costs associated with such review including but not limited to engineering and legal review.

A true record, attest:


Mary Pat Kaszanek, Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

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Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

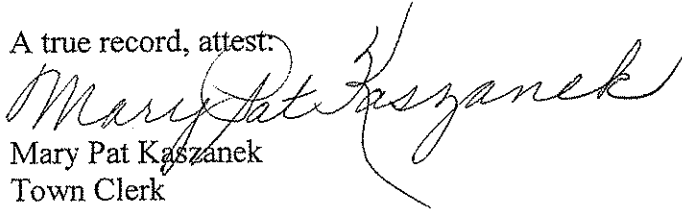
ARTICLE 18

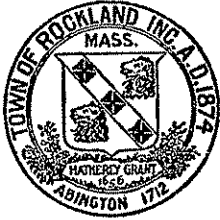
The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended Section II "Definitions" of the Rockland Zoning By-Laws to add the following:

Wind Energy Facility

All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

A true record, attest:


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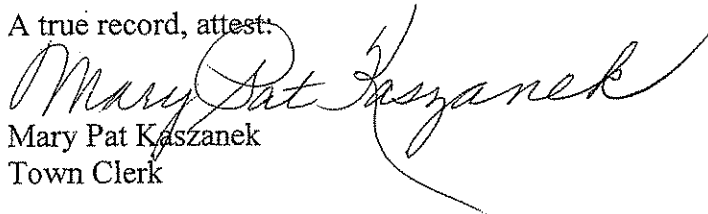
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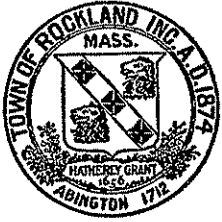
ARTICLE 19

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town voted 132 in favor, 55 opposed 2/3 being 124 to amend as amended Section IV "Permitted Uses" of the Rockland Zoning By-Laws to add:

"Wind Energy Facilities 60 Kw or more" to the list of "Uses Requiring Special Permit" to be the next consecutive number for each of the following districts: R-1, I-2, I-3, I-4.

A true record, attest:


Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

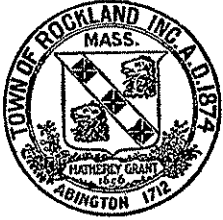
ARTICLE 20

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended Section IV "Permitted Uses" of the Rockland Zoning By-Laws to add:

"Wind Energy Facilities less than 60 Kw" to the list of "Uses Requiring Special Permit" to be the next consecutive number for each zoning district.

A true record, attest:


Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

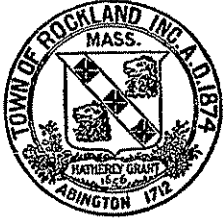
The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 21

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended Section V. A. 2. b. "Yard Regulations" "Side Yard of Corner Lot" of the Rockland Zoning By-Law by deleting the word and number "ten (10)" and replacing with the word and number "fifteen (15)"

A true record, attest:


Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk


Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

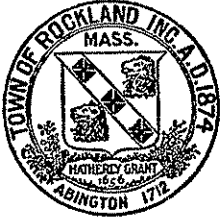
The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 22

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended Section IV "Permitted Uses" Uses Requiring a Special Permit in the RSH - 1 Zone, Use #2 by adding the word "in accordance with Section V.N. of this By-law" after the word "age" and before the asterisk.

A true record, attest:


Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

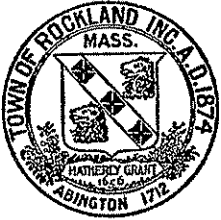
The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 23

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended Section V.N.3.b "Planned Residential Development for Seniors" by deleting "five (5)" and replace with "ten (10)"

A true record, attest:


Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 24

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended Section V.H.1.b. "Planned Unit Developments" by deleting "twenty (20)" and replace with "ten (10)"

A true record, attest:


Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 25

The Town voted to amend this article to add "that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Rockland" and the Town unanimously voted to amend as amended to delete Section V.B.7 "Minimum Required Upland" and replace with:

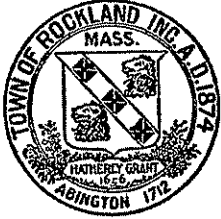
7. Minimum Required Upland

Lots in any District must contain a minimum of 22,000 square feet of contiguous land that is not an area protected under M.G.L. Chapter 131 Section 40 (the Wetlands Protection Act), not including riverfront areas.

Retreat Lots must contain a minimum of 32,670 square feet of contiguous land that is not an area protected under M.G.L. Chapter 131 Section 40 (the Wetlands Protection Act), not including riverfront areas.

A true record, attest:

Mary Pat Kaszanek
Town Clerk



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

The following article was voted at the Annual Town Meeting Monday, May 4, 2009.

ARTICLE 29

The Town unanimously voted to amend the zoning map and ordinance to increase the industrial, I-2, zone by moving the existing zone line as described below under "DESCRIPTION OF LAND IN ROCKLAND PROPOSED TO BE RE-ZONED", to the new location identified on the described "accompanying plan", to allow for additional industrial development and parking.

Area to be rezoned is Lot 5 on the Rockland Assessor's Map 10.

DESCRIPTION OF LAND IN ROCKLAND PROPOSED TO BE RE-ZONED

Beginning at a point in the Rockland/Norwell Town Line, said point being 128.+feet southeasterly from the southerly side of Longwater Drive, at the northeasterly corner of land of Thomas D. VanEtta, Trustee of the Pont Street Trust;

Thence running southeasterly in the said Town Line by land of the aforementioned Trustee, 267.+feet to a point;

Thence turning and running southwesterly in the line of land of the Trustee, 411.+feet to a point;

Thence turning and running northwesterly in the line of land of the Trustee, 269.+feet to a point in the line of land of Airxchange, Inc.;

Thence turning and running northeasterly in the line of land of Airxchange, Inc., 477.+feet to the point of beginning at the Rockland/Norwell Town Line, and containing 2.7+-acres, as shown on the accompanying plan entitled 'COMPILED SITE PLAN FOR PROPOSED ZONING CHANGE' PREPARED FOR Airxchange, 85 Longwater Drive, Rockland, Massachusetts by Wait Land Use Consultants, LTD and Atlantic Design Engineers, LLC and dated March 2, 2009.

A true record, attest:


Mary Pat Kaszanek
Town Clerk

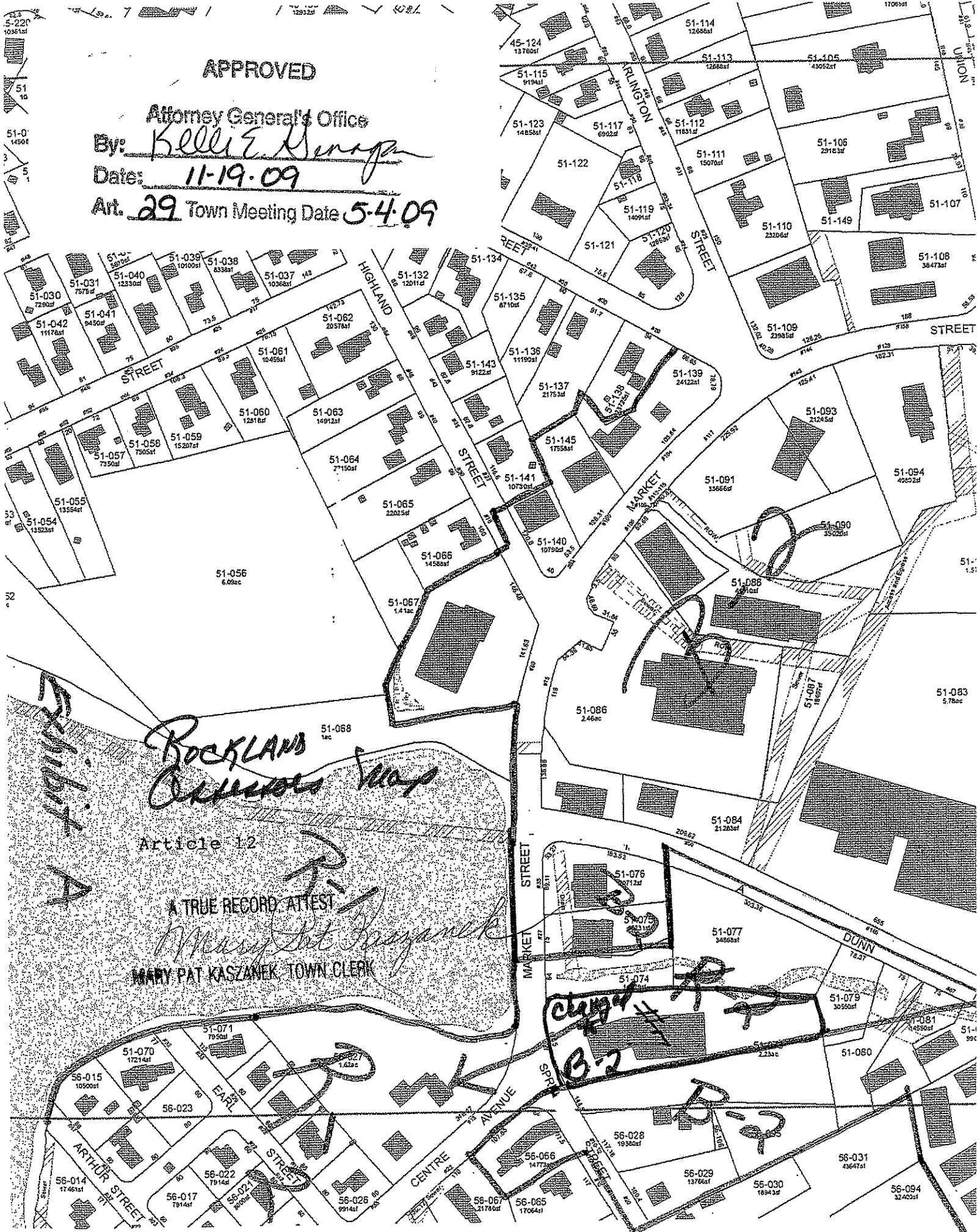
APPROVED

Attorney General's Office

By: Kelli E. Henagan

Date: 11-19-09

Art. 29 Town Meeting Date 5-4-09



Rockland Commons Map

Article 12

A TRUE RECORD, ATTEST

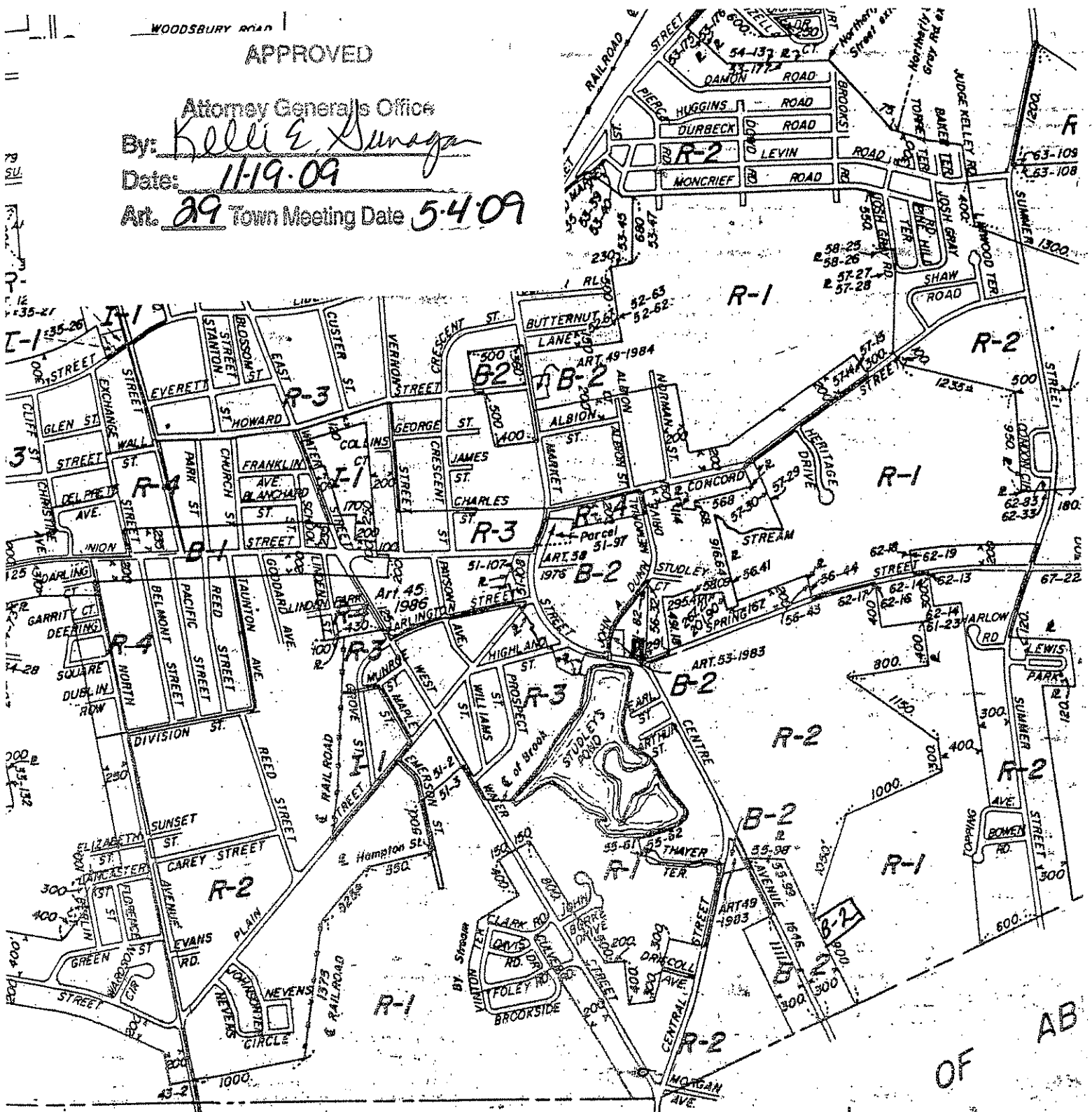
Mary Pat Kaszanek
MARY PAT KASZANEK, TOWN CLERK

B-2

B-3

APPROVED

Attorney General's Office

By: Kelli E. DunaganDate: 11-19-09Art. 29 Town Meeting Date 5-4-09

Reference is made to the Article number and year of the Warrant for each amendment to the Zoning Map, for a more particular description of the boundaries of the indicated areas:

Amendment Number	Article Number	Year of Warrant
New Base Map	76	1975
1	58	1976
2	15	1976
3	71	1979
4	12	1980
5	16	1981
6	17	1981
7	49	1983
8	53	1983
9	49	1984
10	43	1986
11	45	1986

A TRUE RECORD OF THE TOWN

Mary Pat Kaszanek
MARY PAT KASZANEK, TOWN CLERK

Indicates sideline

Indicates centerline

R Indicates proper

18-60 Indicates prop

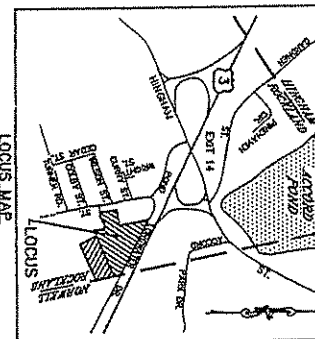
Assessors sheet

MARKET

ROCKLAND
Zoning Map
Article 12

RINGTON

Rockland



LOCUS MAP
SCALE: 1"=1,000'

A TRUE RECORD, ATTEST
Mary Pat Kaszanek
MARY PAT KASZANEK, TOWN CLERK

NOTES:
1) PROPERTY LINES AND EXISTING CONDITIONS
SHOWN ON THIS MAP ARE BASED ON RECORD MAPS
AND ASSASSON'S INFORMATION ON RECORD AND
ARE NOT A RESULT OF A SURVEY CONDUCTED BY
ATLANTIC DESIGN ENGINEERS, LLC.
2) EXISTING CONDITIONS DEPICTED HEREON ARE
BASED UPON PLAN DATED 12/14/09 OF LAND 85
LONGWATER DRIVE, ROCKLAND, MASSACHUSETTS
BY KASZANEK, TOWN CLERK AND PLAN DATED 12/14/09
FOR AIRCHANGE, INC. BY
SHERIDAN AND HOLT INC., DATED DECEMBER
7, 1998.

Article



APPROVED

Attorney General's Office
By: *Belia Gung*
Date: 11-19-09
At: 29 Town Meeting Date 5-4-09

SIGN ENGINEERS, L.L.C.
(508) 888 - 9282

Designed by: _____
Checked by: _____
Surveyed by: _____
Approved by: _____

SCALE
SCALE 1" = 50'

DATE _____

NO.	BY	DATE	REVISION

PREPARED FOR:
AIRCHANGE
85 LONGWATER DRIVE, ROCKLAND, MA 02370

COMPILED SITE PLAN
PROPOSED ZONING CHANGE
85 LONGWATER DRIVE, ROCKLAND, MA 02370
MARCH 2, 2009

Sheet 1 of 1
JOB NUMBER
26220.00